

STEPTOE & JOHNSON

ATTORNEYS AT LAW

1-358A002

PHOENIX, ARIZONA
CITIBANK TOWER

TELEPHONE: (602) 266-6610
FACSIMILE: (602) 274-1970

1330 CONNECTICUT AVENUE, N.W.
WASHINGTON, D.C. 20036-1795

(202) 429-3000
FACSIMILE: (202) 429-9204
TELEX: 89-2503

S&J LEX INTERNATIONAL
AFFILIATE IN MOSCOW, U.S.S.R.

TELEPHONE: (011-7-095) 290-5775
FACSIMILE: (011-7-095) 925-9992

9329-A
RECORDATION NO. FILED 1425

December 23, 1991

DEC 24 1991 - 10 10 AM

Mr. Sidney L. Strickland, Jr.
Secretary
Interstate Commerce Commission
Washington, D.C. 20423

INTERSTATE COMMERCE COMMISSION

Dear Mr. Strickland:

Enclosed are duplicate originals and two copies of a document to be recorded pursuant to 49 U.S.C. § 11303. The document is a Release dated December 20, 1991, releasing the security interest of First Union National Bank in a Security Agreement dated March 8, 1978, by and between First Union National Bank and W. Eugene Johnston.

The document to be recorded is a secondary document. The primary document to which it is connected is recorded under Recordation No. 9329.

The names and addresses of the parties to the document to be recorded are as follows:

Creditor: First Union National Bank of North Carolina
P.O. Box 21965
Greensboro, NC 27420

Debtor: W. Eugene Johnston
P.O. Box 9031
Greensboro, NC 27408

The equipment covered by the document to be recorded are railroad boxcars bearing the marks MPA50061, 50063, 50065, 50067, 50070, 50075, 50078, 50079, 50086 AND 50095.

A fee of \$16.00 is enclosed. Please return the original and any extra copies not needed by the Commission for recordation to the person presenting this letter.

A short summary of the document to appear in the index follows:

C. Anthony Jones

Release dated December 20, 1991 by First National Bank of North Carolina in favor of W. Eugene Johnston, covering 10 railcars marked MPA50061, 50063, 50065, 50067, 50070, 50075, 50078, 50079, 50086 and 50095, connected to a Security Agreement assigned Recordation Number 9329.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Robert J. Corber", written in a cursive style.

Robert J. Corber
Attorney for W. Eugene Johnston

**First Union National Bank
of North Carolina**

Post Office Box 21965
Greensboro, North Carolina 27420
919 378-4011

RELEASE

**FIRST
UNION**

**STATE OF NORTH CAROLINA
COUNTY OF GUILFORD**

RECORDATION NO 9329-A FILED 1625
DEC 24 1991 -10 22 AM
INTERSTATE COMMERCE COMMISSION

KNOW ALL PERSONS BY THESE PRESENTS THAT

WHEREAS, W. Eugene Johnston has entered into a Security Agreement with First Union National Bank of North Carolina (hereinafter know as FUNB) dated as of April 17, 1978, as amended ("Security Agreement") securing certain obligations of W. Eugene Johnston to FUNB; and

WHEREAS, the Security Agreement was recorded at the Interstate Commerce Commission on April 17, 1978, and the Security Agreement, and all amendments, supplements, equipment schedules, waivers and related agreements thereto, have been assigned Recordation Number 9329, inclusively; and

WHEREAS, the obligations secured by the Security Agreement, as amended and supplemented, have been satisfied and discharged completely;

NOW, THEREFORE, for good and valuable consideration and intending to be legally bound, FUNB does hereby terminate the security interest created by the Security Agreement, as amended and supplemented, and releases and discharges all the collateral described therein.

IN WITNESS WHEREOF, FUNB has duly executed this release as of this 20th day of December, 1991.

(CORPORATE SEAL)

**FIRST UNION NATIONAL BANK
OF NORTH CAROLINA**

WITNESS:

BY: Gary L. Armstrong
TITLE: Assistant Secretary

By: L. H. Gladdock
TITLE: Vice President

**STATE OF NORTH CAROLINA)
COUNTY OF GUILFORD) ss.**

I, Michelle Bennett, a Notary Public of said County and State, certify that Gary L. Armstrong personally came before me this day and acknowledged that he is the Assistant Secretary of First Union National Bank of North Carolina, a corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its Vice President, sealed with its corporate seal, and attested by him self as its Assistant Secretary.

Witness my hand and notarial seal, this 20th day of December, 1991.

My commission expires:

8/31/94

Michelle Bennett
Notary Public